

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN BENSCOTER,

Plaintiff,

v.

NATIONWIDE MUTUAL
INSURANCE COMPANY,

Defendant.

No. 4:22-CV-01142

(Chief Judge Brann)

ORDER

AUGUST 22, 2023

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY
ORDERED** that:

1. Defendant Nationwide Mutual Insurance Company's Motion for Summary Judgment (Doc. 29) is **GRANTED** as to Counts I, II, III, and V and **DENIED** as to Count IV.
2. Plaintiff John Bencoter's Motion for Partial Summary Judgment (Doc. 36) is **DENIED**.
3. Upon resolution of the remaining claim in the case the Clerk of Court is directed to enter judgment against Plaintiff, and in favor of Defendant as to Count I, II, III, and V.

4. Plaintiff John Benscoter shall file any amended pleadings on or before
September 12, 2023.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge